UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.299
2 February 1996

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fifteenth session

SUMMARY RECORD OF THE 299th MEETING

Held at Headquarters, New York,
on Wednesday, 24 January 1996 at 3 p.m.

Chairperson: Ms. CORTI

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference and Support Services, room DC2-794, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

96-80153 (E)

/...

The meeting was called to order at 3.20 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined initial, second and third periodic reports of Ethiopia (continued) (CEDAW/C/ETH/1-3 and CEDAW/C/ETH/1-3/Add.1)

1. At the invitation of the Chairperson, Ms. Haile-Michael and Mrs. Asfaw (Ethiopia) took places at the Committee table.

2. Ms. HAILE-MICHAEL (Ethiopia) said that document CEDAW/C/ETH/1-3, dated 21 May 1993, did not contain the report submitted by her Government two years earlier. She believed it to be that of a non-governmental organization. Moreover some of the information it contained was inaccurate. However, since many of the experts' questions were based on that document, she would endeavour to respond to the points raised therein, making corrections where necessary.

3. Until very recently, women in Ethiopia had been second-class citizens, unable to participate in the political process, lacking access to resources and forced into early marriage and prostitution. Women had, however, played an important part in the struggle against the military junta which had fallen in May 1991, and women's rights were now enshrined in the Constitution, although the civil and criminal codes had not yet been brought into line with it.

4. She had listened with interest to the Committee's suggestion that further legislative and administrative measures should be introduced to combat circumcision and infibulation. Legislation alone was insufficient, however, since mothers themselves supported these practices. They could be eradicated only through education. It must also be borne in mind that harmful traditional practices were not restricted to infibulation, but also included facial mutilation, nutritional taboos and the pulling of teeth and nails to which men as well as women were subjected. Her Government was combating such practices by setting up health clinics in rural areas to inform the population of their harmful nature.

5. The assertion that mothers were left to cope alone outside the home during childbirth was unfounded. While the practice might occur in isolated communities in remote areas, it was not prevalent among the majority of Ethiopia's peoples. Nor was it true that the healing properties of traditional medicine were neglected.

6. With regard to the question of ethnicity, all of Ethiopia's ethnic groups had the right to self-determination and to use and develop their own language and culture. Fears that conflict would break out among those groups, as in Rwanda, were therefore groundless. At present, the Convention on the Elimination of All Forms of Discrimination Against Women was available only in Amharic, the working language of the Government. Translation into Ethiopia's other languages was under way, but additional resources were required.

7. Mrs. ASFAW (Ethiopia), responding to the questions posed on article 2 of the Convention concerning its incorporation into national legislation, said that the principle of equality between men and women was enshrined in Ethiopia's Constitution. They enjoyed equal political rights and equal rights of ownership and inheritance. All marriages took place with consent and women had an equal right to divorce. A women's parliamentary committee was currently examining the civil, criminal and family laws to ensure that articles inconsistent with the Constitution were repealed. The Constitution also prohibited those customs and practices which deprived women of their economic, political or social rights or caused them physical harm. Awareness campaigns were important in that context to inform women of their rights. Regional women's affairs offices were studying the conflicts between customary laws and the Constitution, but international assistance in that area would be welcome.

8. Replying to the question posed under article 3 concerning the functioning and effectiveness of the national machinery established to promote the enjoyment by women of their rights, she said that each government ministry had a gender department to ensure that women's issues were incorporated into its plan.

9. On the subject of affirmative action (art. 4), she stated that a national women's policy had been approved in 1992 and women's units established at the regional and district levels to monitor its implementation, though their work was hampered by inadequate resources. Under the National Plan of Action, the health care needs of women and children were prioritized. Introduction of labour-saving devices in rural areas was having an indirect effect, namely, the increasing participation by women and children in education. One third of the places in training institutions were reserved for women; they were also able to compete for the remaining places. Female students were entitled to enrol at universities at a lower grade point average than their male counterparts. In schools, the curriculum was being developed to combat gender stereotypes and teachers were trained to understand the importance of women's education for democratization and development.

10. The high level of prostitution in Ethiopia was due in large part to the fact that women had been excluded from economic life. The Constitution stated that they were entitled to affirmative measures to remedy that situation. Accordingly, training programmes had been created to help women acquire skills which would give them alternative ways of earning a living. While increased participation by women in education would also help, it was not possible, as yet, to make education compulsory, for even now there were not enough schools.

11. On the subject of trafficking in and violence against women (art.5), she stated that, since women migrated from rural areas to seek employment as housemaids, it was difficult to determine whether there was indeed such trafficking. As for violence, including harmful traditional practices such as infibulation, campaigns were under way to inform women of their rights and to sensitize health care professionals and law enforcement agents. Educational materials on the subject had been developed in cooperation with women's groups and non-governmental organizations. In addition, the mass media was being used to inform the people that such practices contravened the Constitution which they themselves had ratified. Ultimately, such practices would be eradicated only when women themselves were made aware of their harmful nature.

12. Concerning article 6, she said that although offences against morality were punishable by law, there was no law prohibiting prostitution. With regard to early marriage, its origin lay in the fact that women were not only landless but needed to bring a dowry to a marriage. The need to provide a girl child with a dowry impoverished her family, and competition for dowries had led to the practice of early marriage. In the north of Ethiopia girls acquired the right to own land at the age of 17, and it was obvious to the peasants that there was no advantage in bringing a child bride into the family long before she would be in control of her own resources. Girls who would have their own land had no need of dowries and it could therefore be inferred that cultural practices changed because the reason for their existence was removed, not as a result of legislation.

13. Regarding the practice of democracy in societies with low levels of literacy, raised under article 7, she believed that while education enhanced democracy, it was people's awareness of lack of democracy which provided the stimulus for it to be brought about. In Ethiopia, the majority of people who had struggled against the military regime in order to achieve peace, justice and democracy had been peasants. On the other hand, many countries enjoyed high rates of literacy, and were wealthy but not democratic. Democratization was a continuing process, and Ethiopia currently had the institutions necessary for that process to succeed, such as independent courts, distinct judicial, legislative and executive powers, and an army loyal only to the Constitution.

14. Regarding the claim, that human rights did not exist in Ethiopia, she said that the Constitution provided protection against torture and violence, and gave detainees the right to appear in court within 48 hours of detention. Moreover, Ethiopians were entitled to freedom of speech, expression and organization, and had a free press. Traditional practices were much too complex to be treated as purely human rights issues, but there was no lack of effort to identify practices such as domestic violence which were violations of women's human rights.

15. On the issue of literacy and political power, while education was important, it by no means guaranteed honesty or commitment. Two thirds of leaders at grass-roots level were women, despite widespread illiteracy, because they were believed to be free of corruption.

16. As for women's legal expertise, she said that there were a few women judges, and that one of the top three prosecutors in the Special Prosecutor's Office was a woman. More data would be supplied in a subsequent report.

17. With regard to the question of nationality, raised under article 9, she said that the new Constitution provided that no Ethiopian citizen, whether male or female, could be deprived of their citizenship, even on marriage to a foreign national.

18. In response to a number of questions related to article 10, she said poverty and underdevelopment were largely responsible for female student drop-out rates. The issue of cultural stereotypes was more complex: those could not be changed by decree, but would disappear only when the economic, social and political reasons for them no longer existed. Women would have to actively

challenge stereotypes and claim their economic, political and social rights. She felt progress was being made in that area.

19. The issues of family planning and the reproductive health of women were an integral part of new policies. The Constitution gave women the right to have access to information on important matters such as family planning and nutrition. Abortion, though illegal, was widely practised, and responsible for many deaths.

20. Ms. HAILE-MICHAEL (Ethiopia), said that rape, because of the stigma attached to it, remained underreported, despite the dangers posed by AIDS. Children born as the result of rape or outside wedlock were accorded the same status by the Constitution as children born to married couples. With regard to AIDS, intensive campaigns were being carried out by the Ministry of Health and NGOs. Fear of contracting AIDS would contribute to the gradual disappearance of polygamy, as would education and respect for women's human rights.

21. Asked to explain the reasons for large families, she said that in agrarian societies, large numbers of children were necessary to provide free labour for the family. They were also potential sources of security for parents in their old age.

22. With reference to women's employment and questions raised under article 11, she said that all discriminatory laws against women workers had been repealed by the Constitution. Ethiopia had formulated a new labour proclamation in 1993, consistent with the rights of women, which stated that men and women were entitled to equal pay for equal work; that women must have equal employment opportunities, protection from hazardous jobs, three months of paid maternity leave, and equal rights to promotion and pension rights. Women were employed primarily in the informal sector, which was receiving special attention. With regard to rural women, and a question raised under article 14, the Federal Government's national plan of action had given special priority to training packages as part of the rural-based development strategy. Within the constraints of limited resources, preparations were being made to train women in productive activities and teach them new skills. Concerning the resettlement of displaced people, she said social rehabilitation programmes to address their needs had, from the beginning, been given priority status by the transitional Government.

23. Regarding Amnesty International's claims of human rights abuses in Ethiopia, she said that the claims had not been substantiated. In fact, human rights were being enjoyed in Ethiopia for the first time in its long history. Unsubstantiated allegations against the Government could not be taken seriously.

24. In response to a question raised under article 16, she said that the Constitution gave men and women of legal marriageable age the right to marry and have a family without limitation of race, nationality or religion. Men and women were entitled to equal rights during marriage and on its dissolution. Arbitrators in the event of marriage or divorce were used if customary or religious law had been chosen by the couple in preference to legal procedures. The concept of the man as head of the family had been abolished by the

Constitution, since both men and women had exactly the same rights to access and control of resources, political empowerment and social services.

25. Ms. ABAKA said that the Government must try to reconcile different ethnic groups and avoid confrontation.

26. Ms. GARCIA-PRINCE, noting that her questions had not been completely answered, said that she would welcome more information on the national strategy the Government had decided to implement with regard to violation of human rights in general. Increased awareness and a willingness to fight would be important factors, but were unlikely to be sufficient, by themselves to resolve the problem of women's extreme subordination. However, she acknowledged the progress which had been made and the Government's determination to bring about change.

27. Ms. SCHÖPP-SCHILLING said that Ethiopia's new Constitution contained many interesting features, including its provisions concerning affirmative action, and, if translated into English, might serve as a model for other countries.

28. She would welcome additional information on the observance of customary laws which, although no longer recognized by the new Constitution, appeared to be still very much a part of popular culture. She welcomed the Government's efforts to highlight harmful traditional practices and wondered whether that issue was being dealt with at the regional level by the focal points for women.

29. Given the high levels of illiteracy and the multiplicity of languages in some countries, it would be useful to use more accessible media, such as comic strips and cartoons, to promote awareness of the Convention.

30. Ms. CORREA, noting that her questions had not been answered, because they had not been clearly formulated, said that she remained concerned about women's limited participation at decision-making levels, including the national parliament. That situation was in sharp contrast to the key role played by Ethiopian women at the grass-roots level.

31. Ms. ESTRADA CASTILLO welcomed the Government's efforts to provide greater legal protection for the rights of women. As in many other countries of the world, however, there appeared to be a significant gap between the de jure and the de facto status of women in Ethiopia. The Ethiopian delegation's statement did not provide concrete information on how the Government was responding to the problems of women in that country in such areas as human rights abuses, health care programmes and education. It was time to go beyond mere declarations and to focus on concrete actions.

32. She would welcome clarification of the statement that excessive preoccupation with the question of genital mutilation could boomerang and be counter-productive.

33. Finally, she wondered whether there were differences between the prospects for economic, social and occupational mobility of rural and urban women in Ethiopia.

34. Ms. JAVATE DE DIOS, noting the progress that had been made in protecting human rights in Ethiopia, said that she would welcome more information on the impact of the strategy to mainstream the gender perspective approach to the adoption of public policies. It would also be helpful to know if any emergency aid programmes had been put in place at the village level to address the needs of displaced women and women without a support system.

35. Ethiopia's next periodic report should contain concrete information on the implementation of gender equality and on the steps taken by the Government to provide training in human rights to personnel of the police force, the judicial branch and educational institutions.

36. Ms. OUEDRAOGO welcomed the integrated approach which the Government had adopted to curb traditional practices that were harmful to women and girls. She did not agree, however, that the solution lay in penalizing the mothers. Her own country, Burkina Faso, had succeeded in reducing the incidence of harmful traditional practices by penalizing the practitioners, who were motivated largely by the expectation of financial gain.

37. She wished again to stress the value of informal mutual aid societies in helping women obtain credit for setting up small businesses. That approach had been tried with marked success in several African countries.

38. Ms. KHAN said that, while she agreed that traditional practices could not be rooted out by fiat alone, it was still important to enact legislation and to pursue specific programmes and policies aimed at curbing harmful practices.

39. Reports of human rights abuses in Ethiopia had been received not only from Amnesty International, an internationally known and respected organization, but also from human rights groups within the country, a situation which would not have been allowed to exist under the previous Ethiopian regime.

40. Ms. HARTONO, noting that children born out of wedlock had the same rights and protections as children born within marriage, said that it could be concluded that it was no longer necessary for a woman to marry, because her children would have the same rights whether she married or not. Would that not make the institution of marriage superfluous?

41. Regarding the statement that it would be difficult to institute a programme of compulsory education as long as child labour existed, she said that the reverse had proven to be true in her own country, where compulsory education had been instituted in order to reduce child labour. She feared that, if Ethiopia waited until child labour was no longer used, it would never begin a compulsory education programme.

42. Ms. TIMOTHY (Representative of the Secretary-General) said that both reports before the Committee had been submitted by the Government. It was not the practice of the Secretariat to issue reports of non-governmental organizations. She regretted any confusion that might have arisen.

43. Ms. HAILE-MICHAEL (Ethiopia) said that she regretted that her delegation had been unable to answer the questions of some members to their satisfaction.

Concerning the questions posed by the Chairperson, she said that while abortion remained illegal the Government was nevertheless aware that clandestine abortions were still performed. It had been determined that the phenomenon was most common among adolescent girls in urban areas. The Government, non-governmental organizations and community groups had entered into discussion with the National Association of Gynaecologists and the Women's Affairs Bureau on ways to deal with the issue. Those groups were trying to devise interventions that would be acceptable to the society at large. The Government did not underestimate the problem, but realized that extensive consultation would be needed among the various bodies that would participate in the strategies and programmes. A survey had been taken regarding contraceptive preferences, and the National Association of Gynaecologists had proposed a solution focusing on prevention, including distribution of contraceptives and sex education in the schools.

44. Ms. ASFAW (Ethiopia) said that ethnicity could be either a positive or negative force. Her country had learned through bitter experience that it was dangerous to forbid different groups to express themselves freely. Ethiopia currently comprised over 80 distinct linguistic and cultural groups and the Government was attempting to make it attractive to those groups to be part of a unified Ethiopia. As in a marriage, the partners would remain together if they treated each other with love and respect. Ethiopia was an ancient and conservative society, but the establishment of democracy had been a unifying experience for all groups. Although there was opposition, it was generally expressed in a constructive manner; some groups, however, resorted to destructive means. In her view, only when women and children had achieved economic and social rights in a democratic society would democracy enter the home.

45. The CHAIRPERSON agreed that human rights education, which led to respect for and understanding of democracy, must be promoted. While it was true that Ethiopia's problems would not disappear overnight, nevertheless, Ethiopia could not consolidate democracy and stability as long as more than half its population remained in a position of inferiority. The Government should ask for additional outside help in overcoming poverty; several institutions, including UNIFEM, stood ready to assist it in carrying out its development plans. She urged Ethiopia to set priorities for action carefully, despite its global approach to development and, as a State Party to the International Covenant on Civil and Political Rights, to give more attention to the fundamental human rights of all its citizens.

The meeting rose at 5.35 p.m.